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October 22, 2014

Honorable Sandra J. Feuerstein
United States District Court Judge
Eastern District of New York
100 Federal Plaza
Central Islip, New York, 11722

FILED
IN CLERK'S OFFICE
U S DISTRICT COURT E D N Y

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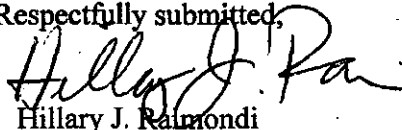
Re: ***Berlin v. Maxi-Aids, Inc. et al***
14-cv-3028 (SJF)(SIL)

Dear Judge Feuerstein:

We represent defendants Solomon & Herrera, PLLC, Michael D. Solomon, Susan Rubin and Daniel Herrera (collectively "the S&H law firm") in the above-referenced matter. We are in receipt of a letter dated October 22, 2014 from counsel for co-defendants SHS and G&M withdrawing their request that the court *sua sponte* dismiss this matter and, alternatively, requesting that the court extend their time to respond to the amended complaint until December 10, 2014. Earlier today, we filed a letter joining in both of those requests.

Because SHS and G&M have withdrawn their request for *sua sponte* dismissal, we respectfully withdraw our request to join in that application. We intend to move to dismiss the complaint, and will prepare correspondence to Magistrate Judge Stephen I. Locke requesting an extension of our time to do so. We apologize for any confusion and thank the Court for its consideration of this request.

Respectfully submitted,


Hillary J. Raimondi

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Counsel for all remaining parties via ECF

The motion to withdraw defendants' request
for sua sponte dismissal (DE25) is granted.
So Ordered

s/ Sandra J. Feuerstein

U.S.D.J. 10/23/14